

**KLESTADT WINTERS JURELLER
SOUTHARD & STEVENS, LLP**200 West 41st Street, 17th Floor

New York, NY 10036-7203

Telephone: (212) 972-3000

Facsimile: (212) 972-2245

Sean C. Southard

Lauren C. Kiss

*Proposed Counsel to the Debtor and Debtor-
in-Possession***UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

-----X	
In re	: Chapter 11
	:
DOWLING COLLEGE,	: Case No. 16-75545 (REG)
	:
	:
Debtor.	:
-----X	

**NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON DECEMBER 15, 2016 AT 10:00 A.M.**

<u>Time and Date of Hearing:</u>	December 15, 2016 at 10:00 a.m. (Eastern Time)
<u>Location of Hearing:</u>	Courtroom of the Honorable Robert E. Grossman, United States Bankruptcy Court for the Eastern District of New York, Alfonse M. D'Amato U.S. Courthouse, 290 Federal Plaza, Courtroom 860, Central Islip, New York 11722
<u>Copies of Motions and Applications:</u>	The Motions and Applications may be viewed on the Court's website (http://www.nyeb.uscourts.gov/) with a login and password to the Court's Public Access to Court Electronic Records and copies of such documents can be obtained from the Debtor's proposed noticing agent, Garden City Group, LLC at http://cases.gardencitygroup.com/dco .

I. **Uncontested Matters:**

1. Debtor's Motion Pursuant to Sections 105(a) and 363(b) of the Bankruptcy Code for an Order (I) Authorizing RSR Consulting, LLC to Continue to Provide the Debtor with a Chief Restructuring Officer and Additional Personnel, and (II) Designating Robert S. Rosenfeld as Chief Restructuring Officer to the Debtor Effective as of the Petition Date [DE 7]

Responses Received:

- A. Committee's Statement Regarding Certain of the Debtor's First Day Motions [DE 97]

Related Documents:

- B. Interim Order Pursuant to Sections 105(a) and 363(b) of the Bankruptcy Code (I) Authorizing RSR Consulting, LLC to Continue to Provide the Debtor with a Chief Restructuring Officer and Additional Personnel, and (II) Designating Robert S. Rosenfeld as Chief Restructuring Officer to the Debtor Effective as of the Petition Date [DE 75]
- C. First Supplemental Declaration of Robert S. Rosenfeld in Support of the Debtor's Motion Pursuant to Sections 105(a) and 363(b) of the Bankruptcy Code for an Order (I) Authorizing RSR Consulting, LLC to Continue to Provide the Debtor with a Chief Restructuring Officer and Additional Personnel, and (II) Designating Robert S. Rosenfeld as Chief Restructuring Officer to the Debtor Effective as of the Petition Date [DE 92]

Status: This matter is going forward.

2. Debtor's Motion for Entry of Interim and Final Orders (I) Authorizing the Closing and Balance Transfers of Certain Prepetition Bank Accounts; (II) Granting a Limited Waiver of Section 345 Investment and Deposit Requirements; and (III) Granting Related Relief [DE 10]

Responses Received:

- A. Committee's Statement Regarding Certain of the Debtor's First Day Motions [DE 97]
- B. Informal Inquiry by U.S. Attorney on behalf of U.S. Department of Education.

Related Documents:

- C. Interim Order (I) Authorizing the Closing and Balance Transfers of Certain Prepetition Bank Accounts; (II) Granting an Extension of Time to Comply with Section 345 Investment and Deposit Requirements; and (III) Granting Related Relief [DE 80]

Status: This matter is going forward.

- 3. Debtor's Motion for Entry of Interim and Final Orders Authorizing the Debtor to (I) Make Payments for Which Prepetition Payroll Deductions were Made and (II) Pay Union Obligations [DE 11]

Responses Received:

- A. Committee's Statement Regarding Certain of the Debtor's First Day Motions [DE 97]

Related Documents:

- B. Interim Order Pursuant to Sections 363(b) and 105(a) of the Bankruptcy Code Authorizing the Debtor to (I) Make Payments for Which Prepetition Payroll Deductions were Made and (II) Pay Union Obligations [DE 72]

Status: This matter is going forward.

- 4. Motion of Debtor and Debtor in Possession, Pursuant to Sections 105(a) and 363(b) of the Bankruptcy Code, for Entry of Interim and Final Orders Authorizing the Debtor to (I) Continue its Existing Insurance Programs and Related Agreements, Including Premium Financing Agreement and (II) Pay Certain Prepetition Insurance Premiums, Claims and Related Expenses [DE 12]

Responses Received:

- A. Committee's Statement Regarding Certain of the Debtor's First Day Motions [DE 97]

Related Documents:

- B. Interim Order Pursuant to Sections 105(a) and 363(b) of the Bankruptcy Code Authorizing the Debtor to (I) Continue its Existing Insurance Programs and Related Agreements, Including Premium Financing Agreement and (II) Pay Certain Prepetition Insurance Premiums, Claims and Related Expenses [DE 73]

Status: This matter is going forward.

5. Application for Interim and Final Orders Authorizing the Retention of Douglas Elliman as Real Estate Broker to the Debtor, *nunc pro tunc* to the Petition Date [DE 16]

Responses Received:

- A. Committee's Statement Regarding Certain of the Debtor's First Day Motions [DE 97]

Status: This matter is going forward.

6. Motion of the Debtor, Pursuant to Section 365(a) of the Bankruptcy Code, to Reject Certain Unexpired Leases Effective as of the Petition Date [DE 20]

Responses Received:

- A. Committee's Statement Regarding Certain of the Debtor's First Day Motions [DE 97]

Status: This matter is going forward.

7. Motion for Entry of an Administrative Order, Pursuant to Local Rule 2016-1 and 11 U.S.C. §§ 105(a) and 331, Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals [DE 21]

Responses Received:

- A. Committee's Statement Regarding Certain of the Debtor's First Day Motions [DE 97]

Status: This matter is going forward.

8. Debtor's Motion for Entry of Interim and Final Orders (I) Authorizing Debtor (A) to Obtain Post-Petition Secured, Superpriority Financing Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 364 and (B) to Utilize Cash Collateral Pursuant to 11 U.S.C. § 363; (II) Granting Adequate Protection to Pre-Petition Secured Creditors Pursuant to 11 U.S.C. §§ 361, 362, 363 and 364; and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rules 4001(B) and 4001(C) [DE 9]

Responses Received:

- A. Objections Raised Informally By Committee Resolved by Revised Language In Proposed Form of Order to Be Presented.

Related Documents:

- B. Emergency Order (I) Authorizing Debtor to Obtain PostPetition Financing and Use Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling an Interim Hearing, and (IV) Granting Certain Related Relief [DE 63]
- C. Notice of Filing of Proposed Interim Budget for Period Ending January 13, 2017 [DE 100]

Status: This matter is going forward.

- 9. Debtor's Motion Pursuant to Sections 105(a) and 363(b) of the Bankruptcy Code Authorizing the Debtor to Enter Into and Perform Under Plan Support Agreement [DE 22]

Status: This matter is going forward.

II. **Contested Matters:**

- 10. Application for Interim and Final Orders Authorizing the Retention of A&G Realty Partners, LLC and Madison Hawk Partners, LLC as Real Estate Advisors to the Debtor, *nunc pro tunc* to the Petition Date [DE 15]

Responses Received:

- A. Objections Raised Informally By Committee Resolved by Revised Language In Proposed Form of Order to Be Presented.

Related Documents:

- B. Supplemental Declaration of Jeffrey L. Hubbard in Support of Application for Interim and Final Orders Authorizing the Retention of A&G Realty Partners, LLC and Madison Hawk Partners, LLC as Real Estate Advisors to the Debtor, *nunc pro tunc* to the Petition Date [DE 101]

Status: This matter is going forward.

- 11. Debtor's *Ex Parte* Application for Entry of a Scheduling Order and Debtor's Motion for Entry of (I) an Order (A) Approving Bidding Procedures for the Sale of the Debtor's Oakdale Campus, (B) Scheduling an Auction and a Sale Hearing Related Thereto, (C) Approving the Form of Notice of the Auction and Sale Hearing, (D) Approving a Termination Fee and Expense Reimbursement; and (II) an Order (A) Approving Such Sale of the Oakdale Campus Free and Clear of Liens, Claims, Encumbrances and Other Interests, (B) Allowing the Payment of Certain Valid Lien Claims and (C) Related Relief [DE 13]

Responses Received:

- A. Objections Raised Informally By Committee Resolved by Revised Language In Proposed Form of Order to Be Presented.
- B. Karl Silverberg's Declaration in Opposition on Creditor Powerhouse Paving's Behalf [DE 56, 59]

Status: The Bidding Procedures Motion is going forward.

- 12. Debtor's Motion for Entry of Interim and Final Orders (I) Approving Sale Procedures for the Sale of the Debtor's Residential Portfolio and (II) Approving Such Sales of the Debtor's Residential Portfolio Free and Clear of Liens, Claims, Encumbrance and Other Interests [DE 14]

Responses Received:

- A. Objections Raised Informally By Committee Resolved by Revised Language In Proposed Form of Order to Be Presented.
- B. Karl Silverberg's Declaration in Opposition on Creditor Powerhouse Paving's Behalf [DE 56, 59]

Status: This matter is going forward.

Dated: New York, New York
December 14, 2016

**KLESTADT WINTERS JURELLER
SOUTHARD & STEVENS, LLP**

By: /s/ Sean C. Southard

Sean C. Southard
Lauren C. Kiss
200 West 41st Street, 17th Floor
New York, NY 10036
Tel: (212) 972-3000
Fax: (212) 972-2245
Email: ssouthard@klestadt.com
lkiss@klestadt.com

*Proposed Attorneys to the Debtor and Debtor
in Possession*